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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,671	03/09/2004	Keith Edward Foley	600.I263	3017
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DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018				
			EXAMINER	
			HAMDAN, WASSEEM H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/796,671	FOLEY ET AL.
	Examiner Wasseem H. Hamdan	Art Unit 2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 June 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 and 11-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9 and 11-19 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 09 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 8 is objected to because of the following informalities: claims must end with a period and must be one sentence. There are two periods in claim 8, one is at the end of line 6 and the other is at the end of line 8. Appropriate correction is required.

2. Claim 19 is objected to because of the following informalities: claim 19 depends from a cancelled claim 10. To expedite prosecution, the examiner assumed that the applicant meant to depend claim 19 from claim 8, claim 19 has been examined accordingly. Appropriate correction is required

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 8, 9, 11-15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueda et al. (US Patent 5,690,435).

Regarding claim 1, Ueda et al. discloses a method for detecting a type of one of a plurality of devices attached to a graphics machine [Abstract, lines 1-6], each device being one of at least a first type and a second type [18; 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47], the method comprising:

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detecting at a controller [44 or 110; column 6, lines 33-35; 45-51; [column 5, lines 45-67; column 6, lines 1-7] the type of device attached to or to be attached to the machine [Abstract, lines 1-6; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47], the controller being capable of preadjusting the device as a function of the detection [column 6, lines 55-56; 64-65; column 7, lines 48-50].

Regarding claim 2, Ueda et al. discloses wherein the device includes a type identifier, and an identifier reader can be connected to the controller [FIGS. 6-1 and 6-2; column 5, lines 50-52; column 6, lines 45-50].

Regarding claim 3, Ueda et al. discloses wherein the controller sends a control signal to the device as a function of the detection [column 6, lines 45-49].

Regarding claim 4, Ueda et al. discloses wherein the devices can be added or removed and replaced with other devices of other types [column 1, lines 23-24; column 11, lines 17-22].

Regarding claim 8, Ueda et al. discloses a graphics machine [column 1, lines 19-20] comprising:

a controller [44 or 110],
a first device connected to the controller [18 or 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47], the first device being categorizable as one of at least a first type and a second type, the controller detecting the type of the first device[18, 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47]; and

a memory accessible by the controller [54], the memory storing information regarding the first type and the second type [column 5, lines 45-67; column 6, lines 1-7];
wherein the controller automatically adjusts the first device as a function of the information [column 6, lines 55-56; 64-65; column 7, lines 48-50].

Regarding claim 9, Ueda et al. discloses wherein the first device includes a type identifier, and the machine further comprises an identifier reader connected to the controller [FIGS. 6-1 and 6-2; column 5, lines 50-52; column 6, lines 45-50].

Regarding claim 11, Ueda et al. discloses wherein the information is stored as a table [column 7, lines 2-15].

Regarding claim 12, Ueda et al. discloses wherein the first device is connected to the controller via an electrical plug, a fixed transmission line or a wireless connection [18; 41; FIG. 6-1; FIG. 2].

Regarding claim 13, Ueda et al. discloses the graphics machine includes a second device connected to the controller, the second device being one of the first type and the second type [18 or 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47].

Regarding claim 14, Ueda et al. discloses wherein the first device is modular [18 or 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47]. According to the Chambers

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Dictionary of Science and Technology, published in 1999, page 751, the definition for “modular is (Electronics) Form of construction in which units, often with differing function, are therefore quickly interchangeable”, which as set forth in the office action Ueda et al. discloses this claimed limitation].

Regarding claim 15, Ueda et al. discloses wherein the controller has a plurality of inputs, each input identifying a particular location of the machine [FIGS. 6-1 and 6-2; 18 or 41; column 4, lines 24-26; column 5, lines 4-6; column 6, lines 45-47].

Regarding claim 19, Ueda et al. discloses wherein the type identifier supplies a digital signal [column 12, line 36].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (US Patent 5,690,435) in view of Graushar et al. (US Patent 6,267,366 B1).

Regarding claim 5, Ueda et al. disclose the essential elements of the claimed invention except for devices are feeders for a binding line. Graushar et al. discloses devices are feeders for

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a binding line [10; column 2, lines 66-67; column 3, lines 7-15]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including devices are feeders for a binding line, since Graushar et al. teaches that having devices are feeders for a binding line would be beneficial for the purpose of producing books such as catalogues, magazines and the like.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (US Patent 5,690,435) in view of Isaac et al. (US Patent 5,483,893).

Regarding claim 6, Ueda et al. disclose the essential elements of the claimed invention except for the devices are printing press components. Isaac et al. discloses the devices are printing press components [FIG. 2; column 1, lines 6-11]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including that the devices are printing press components, since it would be beneficial for the purpose of providing a controlled printing press.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (US Patent 5,690,435) in view of Rothman (Pub. No.: US 2004/0111597 A1).

Regarding claim 7, Ueda et al. disclose the system's initialization [column 19, lines 21-36], but silent about determining which devices are connected to the machine during start up or turning on the system. However Rothman et al. discloses a self-test check upon each turn-on of the machine to determine which devices are connected to the machine [page 1, section [0014], lines 5-8]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including a self-test check upon

each turn-on of the machine to determine which devices are connected to the machine, since Rothman et al. teaches having a self-test check upon each turn-on of the machine to determine which devices are connected to the machine would be beneficial for the purpose of alerting the user if one of the required devices is not connected [page 1, section [0014]].

9. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (US Patent 5,690,435) in view of Kikinis (US Patent 6,137,591).

Regarding claim 16, Ueda et al. disclose the essential elements of the claimed invention, but silent about that the type identifier is a plug having a input power pin and at least one other pin, the first type or second type being identified by a connection between the power pin and the other pin. However Kikinis discloses wherein the type identifier is a plug having a input power pin and at least one other pin, the first type or second type being identified by a connection between the power pin and the other pin [Fig. 6; Fig. 8; column 9, lines 44-52]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including wherein the type identifier is a plug having a input power pin and at least one other pin, the first type or second type being identified by a connection between the power pin and the other pin, since having wherein the type identifier is a plug having a input power pin and at least one other pin, the first type or second type being identified by a connection between the power pin and the other pin would be beneficial for the purpose of connecting the two parts of the system through the connecting pins and hence having a specific pin for a specific data signal.

Regarding claim 17, Ueda et al. disclose the essential elements of the claimed invention, but silent about the input power pin and the other pin are separated by a resistor. However Kikinis discloses that the input power pin and the other pin are separated by a resistor [189]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including the input power pin and the other pin are separated by a resistor, since Kikinis teaches that having wherein the input power pin and the other pin are separated by a resistor would be beneficial for the purpose of regulating load to the power supply [Kikinis: column 9, lines 51-52].

Regarding claim 18, Ueda et al. disclose the essential elements of the claimed invention, but silent about wherein the at least one other pin includes two other pins, the type being determined by the presence or absence of power at the other pins when power is supplied to the input power pin. However Kikinis discloses wherein the at least one other pin includes two other pins, the type being determined by the presence or absence of power at the other pins when power is supplied to the input power pin [Fig. 6; Fig. 8; column 9, lines 44-52]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including wherein the at least one other pin includes two other pins, the type being determined by the presence or absence of power at the other pins when power is supplied to the input power pin, since having wherein the at least one other pin includes two other pins, the type being determined by the presence or absence of power at the other pins when power is supplied to the input power pin would be beneficial for the purpose of connecting

the two parts of the system through the connecting pins and hence having a specific pin for a specific data signal, and hence controlling the subsystems or modularity.

10. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (US Patent 5,690,435) in view of Pepperl+Fuchs.

Please note with the broadest reasonable interpretation of claims 16-18 language, the examiner sees the benefit to show that it is very standard in the industry of testing or automation interface to have the pins as claimed in claims 16-18 as shown below the examination of claims 16-18 with another reference.

Regarding claims 16-18, Ueda et al. disclose the essential elements of the claimed invention, but silent about the limitations as claimed in claims 16-18. However Pepperl+Fuchs discloses the claimed limitations of claims 16-18 [page 12, Figure 5.3]. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify the teachings of Ueda et al. by including the limitations of 16-18 as above, since it would be beneficial for the purpose of connecting the two parts of the system through the connecting pins and hence having a specific pin for a specific data signal, and hence controlling the subsystems or modularity.

Response to Arguments

11. Applicant's arguments filed 06/22/2005 have been fully considered but they are not persuasive. The Amendment is insufficient to overcome the prior art.

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Applicant argues on page 9, that "the assert "device", the font wheel, in Ueda is completely passive and is not adjusted at all. All the adjustments the Examiner cites are made in the graphics machine and not in the font wheel." The examiner respectfully disagrees, because the examiner did mention in the Office mailed on 01/27/2005 about the graphics machine or the font wheel. With the broadest reasonable interpretation of the claim language, Ueda reads on the claim language. In Ueda's, column 6, lines 33-36, 55-65, column 7, lines 16-23 and column 8, lines 38-41, Ueda discloses that his system detect the device (species) and the signal is transmitted to the controller, then the controller analyze the data and preadjust either the step motor or the advancement of the ribbon or the like. Technically when the system receives instruction from the processor and transmit the information to advance the step motor, that is inherently means preadjusting and automatic adjustment within the system itself, and hence the system is not passive, on the contrary the system is active according to signals from the processor. Therefore the rejection is proper.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wasseem H. Hamdan whose telephone number is (571) 272-2166. The examiner can normally be reached on M-F (first Friday off) 6:30 AM- 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wasseem Hamdan

June 30, 2005



Daniel J. Colilla
Primary Examiner
Art Unit 2854